



April 24, 2024

Mark Nielsen
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Taylor Harris
Scheef & Stone LLP
2600 Network Blvd, Suite 400
Frisco, TX 75034
VIA EMAIL

Re: *USA Football, Inc. v. FFWCT, LLC, USA Flag, LLC, and Travis Burnett*, Nos. 4:23-cv-465 and 4:23-cv-516

Counsel,

The purpose of this letter is to document a few matters before the close of discovery that remain to be addressed.

- We received documents in response to our subpoena to the NFL that your clients testified had been prepared by them but had not been produced by them in this case. For example, NFL 63-64, 94-110, and 116-121 are all documents that we were unable to locate in your production. Please ask your clients to review their files and produce any and all communications and documents prepared in connection with the 2022 proposal. *See, e.g.* Request for Production No. 52 to USA Flag. Any supplemental production must be provided as soon as possible.
- In his deposition, Mr. Burnett referenced communications between Mr. Davis and Andy Fuller of IFAF. (See Burnett Dep. p. 46.) No such communications have been produced. Please produce these communications as soon as possible.
- Mr. Burnett also referenced communications with the USPOC that may not have been produced. (See Burnett Dep. pp. 299-300.) Please confirm you have produced all communications between your clients and any representative of the USOPC.
- Mr. Burnett testified that USA Flag does have its own financial statements. (See Burnett Dep. p. 373-374.) While we believe these were covered by prior requests, they are also subject to specific requests that are due on April 26.
- At this time, your clients still have dozens of documents designated as AEO and Confidential, which will burden the parties and the Court by requiring sealing of

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substantial portions of the dispositive motions in these cases. Should you determine to designate any additional documents, please let us know.

- In light of your agreement on the record at the Rule 30(b)(6) deposition that documents obtained from sources other than your clients are not subject to AEO designations, please issue updated confidentiality designations for Curtis Hollomon's deposition transcript as soon as possible. We have previously inquired about this issue on April 3 and April 20.
- Likewise, please issue your line and page designations for the Burnett and Davis depositions as soon as possible, and no later than May 10, so that the testimony may be utilized and sealed as necessary in connection with the May 17 dispositive motions.

We will make ourselves available to meet and confer regarding any of these matters as necessary.

Sincerely,

/s/ Anne K. Ricchiuto

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